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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,907	03/31/2004	Gary J. Griffin	21313	5708

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EXAMINER

FERGUSON, MICHAEL P

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/812,907

Applicant(s)

GRIFFIN, GARY J.

Examiner

Michael P. Ferguson

Art Unit

3679

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-34 and 54.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: Attorney's arguments in regards to the rejection of Hardy, Jr. et al. (US 4,944,523) have been fully considered. However, upon further consideration, the rejection is still believed to be proper as set forth in the previous office action.

As to claims 1,20 and 54, Attorney argues that:

Hardy, Jr. et al. do not disclose a link comprising a bolt having a pair of upset portions spaced inwardly relative to the end portions; and a pair of inner grommets having a portion functional to snap-fit on one of the upset portions of the bolt.

Examiner disagrees. As to claims 1,20 and 54, Hardy, Jr. et al. disclose a link comprising a bolt (112,122) having a pair of upset portions (126,128) spaced inwardly relative to the end portions (members (112,122) function as an integral member and define an integral bolt; elements (126,128) project radially outward from bolt (112,122) and thus define upset portions. Examiner notes that the upset portions and the bolt have not been positively claimed as a single-piece member, nor that the upset portions are radially projecting deformations of the bolt); and a pair of inner grommets (138,140) having a portion functional to snap-fit (frictionally engaged) on one of the upset portions of the bolt (Figure 3).

Examiner notes that a snap-fit is defined by the frictionally engaged interference fit between the lip of grommets (138,140) and the upset portions.

As to claims 3,4,9,10,20,28 and 32, Attorney argues that:


Hardy, Jr. et al. do not disclose a link comprising a pair of inner grommets each having a washer insert molded therein, and the washer, and a groove in the bore permitting the inner grommet to be snap-fit onto an upset portion of the bolt with the upset portion being received in the groove when the inner grommet is mounted on the bolt with the bolt extending through the bore; and a pair of outer grommets each having a washer insert mounted therein, and the washer and a groove in the bore permitting the outer grommet to be snap-fit onto a flanged portion of one of the nuts.

Examiner disagrees. As to claims 4,9,20 and 28, Hardy, Jr. et al. disclose a link comprising a pair of inner grommets (138,140) each having a washer insert A molded therein, and the washer, and a groove in the bore permitting the inner grommet to be snap-fit onto an upset portion of the bolt with the upset portion being received in the groove when the inner grommet is mounted on the bolt with the bolt extending through the bore (Examiner notes that a specific location of the washer insert relative to the groove and the upset portion is not claimed. Furthermore, Examiner notes that the claim does not positively claim that the washer insert is located in the bore adjacent the groove, nor that the washer insert engages the upset portion); and a pair of outer grommets (134,136) each having a washer insert (A) mounted therein, and the washer and a groove in the bore permitting the outer grommet to be snap-fit onto a flanged portion (132) of one of the nuts (Examiner notes that a specific location of the washer insert relative to the groove and the flanged portion is not claimed. Furthermore, Examiner notes that the claim does not positively claim that the washer insert is located in the bore adjacent the groove, nor that the washer insert engages the flanged portion; Figure 3).

As to claims 18 and 19, Attorney argues that:

Hardy, Jr. et al. do not disclose a link wherein the wall of the bore of each of outer grommets is provided with a protrusion engageable with the bolt extending through the bore, functional to permit the outer grommet to be temporarily frictionally held on an end of the bolt for shipping purposes.

Examiner disagrees. As to claim 18, Hardy, Jr. et al. disclose a link wherein the wall of the bore of each of outer grommets (134,136) is provided with a protrusion (B) capable of engaging with the bolt (122) extending through the bore, functional to permit the outer grommet to be temporarily frictionally held on an end of the bolt for shipping purposes (protrusion(B) frictionally engages bolt (122); Figure 3).


JAMES M. HEWITT
PRIMARY EXAMINER